

**MEETING SUMMARY REPORT - THE MINUTES WILL BE POSTED
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SUPERVISORS**

**Pima County Board of Supervisors' Meeting
130 W. Congress St., Hearing Room, 1st Fl.
March 21, 2023 9:00 a.m.**

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. LAND ACKNOWLEDGEMENT STATEMENT**

To be offered by Julieann Arechederra, GIS Cartographer, Pima County Assessor's Office.

- 4. PAUSE 4 PAWS**

PRESENTATION

- 5.** Presentation of the 2022 Small Business Commission Awards to: Crema Coffee, Small Business Rural; Catalina In Home Services, Small Business Urban; and Arizona Construction Trades, Small Business Nonprofit.

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-0,
Supervisor Bronson absent, Supervisor Heinz not present.**

PRESENTATION/PROCLAMATION

- 6.** Presentation of a proclamation to the Honorable D. Douglas Metcalf, Judge, Superior Court, the Honorable Jeffrey T. Bergin, Presiding Judge, Superior Court, Michael Aaron, President, Pima County Bar Foundation, and Cindy Nguyen, President-Elect, Pima County Bar Association's Young Lawyers Division, proclaiming the day of Friday, April 14, 2023 to be: "LAW DAY IN PIMA COUNTY"

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

7. Presentation of a proclamation to Azhar Jamal, Elma Nunez and James Little, Program Coordinators, Angela Montiel, Health Educator Senior, Dolores Encinas and Jessica Barone, Program Specialists, and Lee Itule-Klasen, Program Manager, Pima County Health Department, Dustin J. Williams, School Superintendent, Matt Stamp, Communications Director and Monica Wright, Director of Healthy and Safe Schools, Pima County School Superintendent's Office, proclaiming the month of March 2023 to be: "PIMA COUNTY REAL DEAL ON VAPING MONTH 2023"

Motion by Supervisor Scott, seconded by Supervisor Christy, approved 4-0, Supervisor Bronson absent.

8. **CALL TO THE PUBLIC**

Individuals wishing to participate telephonically at Call to the Public must contact the Clerk of the Board's Office at 520-724-8449, to register their request and obtain remote access information, by the deadline of Monday, March 20, 2023 at 5:00 p.m. Each speaker will be limited up to 3 minutes and the number of speakers may be limited due to a high volume of requests. Please be aware that you may not be called upon to speak. eComments can also be submitted to COB_mail@pima.gov.

EXECUTIVE SESSION

9. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Mendibles v. Pima County Settlement.

Informational only

BOARD OF SUPERVISORS SITTING AS OTHER BOARDS

FLOOD CONTROL DISTRICT BOARD

10. **Riparian Habitat Mitigation**
Staff requests approval of a Riparian Habitat Mitigation Plan and In-Lieu Fee proposal in the amount of \$6,931.50 for grading violation at 18057 West Lickskillet Lane, located within Regulated Riparian Habitat classified as Important Riparian Area with underlying Xeroriparian C Habitat. (District 3)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

11. **Contract**

Pima County Flood Control District and Pima County, to provide an exchange agreement and Quit Claim Deed to establish appropriate property ownership with floodprone and preservation land vested in and managed by the District, no cost (CTN-RPS-23-140)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

SITTING AS THE BOARD OF SUPERVISORS

COUNTY ADMINISTRATOR

13. **(Clerk's Note:** This item will be heard at a time certain of 9:45 a.m.)
Update on County Initiatives to address Homelessness and Public Safety
Board discussion

COUNTY ATTORNEY

14. **(Clerk's Note:** This item will be heard following Executive Session.)
Mendibles v. Pima County Settlement
Discussion/Action related to the negotiated settlement for Mendibles v. Pima County.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-1, Supervisor Heinz voted nay, Supervisor Bronson absent.

15. **Anti-Racketeering Revolving Funds**
Staff recommends approval to utilize Anti-Racketeering Revolving Funds in the amount of \$1,153.52 to help fund a Nation Crime Victims' Rights Week event under Board of Supervisors Policy No. C 6.3.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

DEVELOPMENT SERVICES

16. **Final Plat With Assurances**
P22FP00007, Bacardi Acres, Lots 1-14 and Common Area "A".
(District 4)
Motion by Chair Grijalva, seconded by Supervisor Christy, approved 4-0, Supervisor Bronson absent.

FACILITIES MANAGEMENT

17. **(Clerk's Note:** This item will be heard at a time certain of 9:30 a.m.)
UNFINISHED BUSINESS (2/7/23 and 2/21/23)
Contract
American Indian Association of Tucson, Inc., d.b.a. Tucson Indian Center, Amendment No. 4, to provide for a promissory note related to the Purchase and Sale Agreement of 160 N. Stone, extend contract term to 1/1/38 and amend contractual language to approve total contract amount of \$1,484,141.00 revenue (\$29,041.00 revenue decrease)
(CTN-FM-17-14)
Motion by Chair Grijalva, seconded by Supervisor Scott. Upon roll call, approved 3-1, Supervisor Christy voted nay, Supervisor Bronson absent.

FLEET SERVICES

18. Annual Vehicle Exemptions

In accordance with A.R.S. §38-538.03, staff requests the Board of Supervisors authorize the annual vehicle exemptions for 2023.

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

HUMAN RESOURCES

19. Classification/Compensation

The Pima County Recorder requests approval to create the following new classifications, associated costs will be borne by the department from within its current budget:

Class Code/Class Title/ Grade Code (Range)/ EEO Code/ FLSA Code

1124/ Voter Registration Specialist/38(\$38,355-\$57,179)/6/ NE*

1125/ Voter Registration Unit Supervisor/47(\$47,008-\$69,576)/6/ NE*

*NE = Not Exempt (paid overtime)

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

REAL PROPERTY

20. Dedication of Right-of-Way

Dedication of a Right-of-Way on Irvington Road. (District 5)

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

REGIONAL WASTEWATER RECLAMATION

21. Pretreatment Settlement Agreement

Staff recommends approval of the following proposed Pretreatment Settlement Agreement, RWRD Enterprise Fund:

Enterprise Leasing Company of Phoenix, L.L.C., Case No. 2022-D-003. The proposed settlement provides that Enterprise will pay a penalty of \$800.00 and submit to Pollution Prevention School is in accordance with the Industrial Wastewater Enforcement Response Plan.

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

CONTRACT AND AWARD

Attractions and Tourism

22. Metropolitan Tucson Convention and Visitors Bureau, d.b.a. Visit Tucson, Amendment No. 1, to promote and enhance tourism, business travel, film production and youth, amateur, semi-professional and professional sports development and marketing and amend contractual language, General Fund, contract amount \$3,850,000.00 (CT-ED-22-401)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

Community and Workforce Development

23. Amendment No. 1, to provide for Summer Youth short-term work experience and basic education, extend contract term to 5/14/24, amend contractual language and scope of work, General Fund, for the following:

Vendor/Contract Amount/Contract No.

Altar Valley School District/\$73,732.50/CT-CR-22-318
SER-Jobs for Progress of Southern Arizona, Inc./\$237,793.35/CT-CR-22-320
Goodwill Industries of Southern Arizona, Inc./\$150,226.27/CT-CR-22-325

Motion by Chair Grijalva, seconded by Supervisor Christy, approved 4-0, Supervisor Bronson absent.

24. Three Points Fire District, Amendment No.1, to provide for Thermal Imaging Cameras, HUD CDBG Community Public Facilities Activity, extend contract term to 8/31/23 and amend contractual language, no cost (CT-CR-22-56)

Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

25. Ajo Center for Sustainable Agriculture, Amendment No. 1, to provide for Ajo Food Security Response to COVID-19, extend contract term to 12/31/23 and amend contractual language, no cost (CT-CR-22-196)

Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

26. Arivaca Coordinating Council/Arivaca Human Resource Group, Inc., Amendment No. 1, to provide for Arivaca Coordinating Council/Arivaca Human Resource Storage Facility, HUD CDBG Community Public Facility Activity, extend contract term to 12/31/23 and amend contractual language, USHUD and CDBG Funds, contract amount \$25,000.00 (CT-CR-22-197)

Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

Human Resources

27. United Way of Tucson and Southern Arizona, Inc., Amendment No. 4, to provide for the Employees Care About Pima County 2023 Campaign, extend contract term to 12/31/23 and amend contractual language, General Fund, contract amount \$39,647.85 (CT-CED-19-401)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-1, Supervisor Christy voted nay, Supervisor Bronson absent.

Justice Services

28. Old Pueblo Community Services, to provide for Pima County Housing First Pay for Success Initiative, U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance Funds, total contract amount \$901,200.00/3 year term (\$300,400.00 per year) (CT-JS-23-275)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-1, Supervisor Christy voted nay, Supervisor Bronson absent.

Office of Sustainability and Conservation

29. City of Tucson, to provide an intergovernmental agreement for historic preservation services for Fort Lowell historic structures and other properties related to the City of Tucson Proposition 407 for Parks and Connections Bond approved by voters in 2018, total contract amount \$2,750,000.00 revenue/5 year term (\$550,000.00 per year) (CTN-SUS-23-112)

Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

Procurement

30. **Award**
Award: Master Agreement No. MA-PO-23-139, to provide for original equipment manufacturer (OEM) warranty parts and repairs. This master agreement is for an initial term of one (1) year in the shared annual award amount of \$624,000.00 (including sales tax) and includes four (4) one-year renewal options. Funding Source: Internal Services Fund. Administering Department: Fleet Services.

Contractor Names for Chevrolet Parts

Watson Chevrolet, Inc. (Headquarters: Tucson, AZ) - Primary
O'Rielly Chevrolet, Inc. (Headquarters: Tucson, AZ) - Secondary

Contractor Names for Ford Parts

Jim Click Ford, Inc., d.b.a. Jim Click Ford Lincoln (Headquarters: Tucson, AZ) - Primary
Holmes Tuttle Ford, Inc., d.b.a. Holmes Tuttle Ford Lincoln (Headquarters: Tucson, AZ) - Secondary

Contractor Name for Dodge/Ram Parts

Jim Click, Inc., d.b.a. Jim Click Dodge (Headquarters: Tucson, AZ)

Contractor Name for Toyota Parts

DT Automotive Center, Inc., d.b.a. Desert Toyota of Tucson (Headquarters: Phoenix, AZ)

Contractor Name for Chrysler/Jeep Parts

Jim Click, Inc., d.b.a. Jim Click Dodge (Headquarters: Tucson, AZ)

Contractor Name for Hyundai Parts

Jim Click, Inc., d.b.a. Jim Click Hyundai (Headquarters: Tucson, AZ)

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-0,
Supervisor Christy recused, Supervisor Bronson absent.**

31. Achen-Gardner Construction, L.L.C., Borderland Construction Company, Inc., Ellison-Mills Construction, L.L.C., and Hunter Contracting, Co., Amendment No. 2, to provide a job order master agreement for wastewater conveyance system and related facilities repair, rehabilitation and construction services and amend contractual language, RWRD Obligations Fund, contract amount \$7,000,000.00 (MA-PO-22-35)
Administering Department: Regional Wastewater Reclamation
**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

Real Property

32. 6971, L.L.C., and 6991, L.L.C., to provide an Agreement, Deed of Easement and modification of Deed of Easement for parking uses, no cost (CTN-RPS-23-137)
**Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

33. Pima County Flood Control District and **Pima County**, to provide an exchange agreement and Quit Claim Deed to establish appropriate property ownership with floodprone and preservation land vested in and managed by the District, no cost (CTN-RPS-23-140)
**Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

Recorder

34. City of Tucson, to provide an intergovernmental agreement for election services for the May 2023 Special Election, contract amount \$88,000.00 revenue (CTN-RE-23-135)
**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

GRANT APPLICATION/ACCEPTANCE

35. **Acceptance - Behavioral Health**
Department of Justice via National Association of Victim of Crime Act Assistance Administrators, to provide for the 2023 National Crime Victims' Rights Week Community Awareness, \$5,000.00 (GTAW 23-101)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

36. **Acceptance - Constables**
Arizona Constable Ethics Standards and Training Board (CESTB), Amendment No. 3, to provide for the FY21 CESTB Cycle VII Equipment Grant - firearms and ammunition, extend grant term to 4/30/23 and amend grant language, no cost (GTAM 23-59)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

37. **Acceptance - Health**
Arizona Department of Health Services, to provide for Prop 201 Smoke-Free Arizona, total grant amount \$256,317.00/5 year term (\$51,263.40 per year) (GTAW 23-99)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

38. **Acceptance - Health**
Arizona Department of Health Services, Amendment No. 1, to provide for the home visiting services for Maternal, Infant and Early Childhood Home Visiting Program and extend grant term to 1/13/27, \$435,967.71 (GTAM 23-62)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

39. **Acceptance - Pima Animal Care Center**
Petco Love (formerly Petco Foundation), to provide for the Petco Love 2023 Spring Vaccine Campaign, \$2,821.66 (GTAW 23-103)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

40. **Acceptance - Pima Animal Care Center**
Friends of Pima Animal Care Center, to provide for the Muth Patio Grant Recognition Agreement, total grant amount \$150,000.00/20 year term (\$7,500.00 per year) (GTAW 23-104)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

41. **Acceptance - Pima Animal Care Center**
Friends of Pima Animal Care Center, to provide for the Katz Dog Area Recognition Agreement, total grant amount \$20,000.00/20 year term (\$1,000.00 per year) (GTAW 23-105)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

42. **Acceptance - Pima Animal Care Center**
Friends of Pima Animal Care Center, to provide for the Kennel Grant Recognition Agreement, total grant amount \$5,000.00/20 year term (\$250.00 per year) (GTAW 23-106)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

43. **Acceptance - Sheriff**
U.S. Department of Agriculture (USDA) - U.S. Forest Service, to provide for a Cooperative Law Enforcement Agreement between the Pima County Sheriff's Department and the USDA, Forest Service Coronado National Forest and 2023-2027 Operating and Financial Plan, total grant amount \$38,000.00/4 year term (\$9,500.00 per year) (GTAW 23-100)
Motion by Supervisor Christy, seconded by Supervisor Scott, approved 4-0, Supervisor Bronson absent.

***** HEARINGS *****

Individuals wishing to address the Board on a Public Hearing item, but wish to participate remotely, can contact the Clerk of the Board's Office at 520-724-8449, to obtain remote access information.

FRANCHISE/LICENSE/PERMIT

44. **Hearing - Liquor License**
Job No. 228120, Ricardo Augunstine Lopez, Jr., Manuel's Restaurant, 121 W. Duval Road, Green Valley, Series 12, Restaurant, New License.
Motion by Chair Grijalva, seconded by Supervisor Scott, closed the public hearing and approved 4-0, Supervisor Bronson absent.

45. **ADJOURNMENT**

ADDENDUM 1

PRESENTATION/PROCLAMATION

1. **(Clerk's Note:** This item will be heard at a time certain of 9:15 a.m.)
Presentation of a proclamation to Katie Dusenberry, the first woman elected to serve on the Pima County Board of Supervisors representing District 1, proclaiming the day of Tuesday, March 21, 2023 to be: "KATIE DUSENBERRY DAY"
Motion by Supervisor Scott, seconded by Chair Grijalva, approved 4-0, Supervisor Bronson absent.

EXECUTIVE SESSION

2. Pursuant to A.R.S. §38-431.03(A) (3) and (4), for legal advice and direction regarding the Tinley v. Pima County Settlement.
Informational only

BOARD OF SUPERVISORS

3. **Legal Opinion Regarding Exclusion of Citizen at Board Meetings**
Discussion/Direction/Action regarding the exclusion of a Pima County citizen from Board of Supervisors' meetings and the legal opinion, obtained by the District 4 office, which assesses this action taken by the Board's counsel. (District 4)
Meeting date: 4/4/2023

continue

COUNTY ATTORNEY

4. **(Clerk's Note:** This item will be heard following Executive Session.)
Tinley v. Pima County Settlement
Discussion/Action related to the Tinley v. Pima County Settlement.
Motion by Chair Grijalva, seconded by Supervisor Scott, approved 3-1, Supervisor Heinz voted nay, Supervisor Bronson absent.

CONTRACT AND AWARD

ATTRACTI0NS AND TOURISM

5. Southern Arizona Kart Club, Inc., d.b.a. Musselman Honda Circuit, to provide a Development, Operation and Lease Agreement (Amended and Restated) for Pima Motorsports Park Facility, total contract amount \$139,999.65 revenue/8 year term (\$17,499.96 per year) (CTN-ED-23-142)

**Motion by Chair Grijalva, seconded by Supervisor Christy, approved 4-0,
Supervisor Bronson absent.**

CONSENT CALENDAR

Approval of the Consent Calendar

**Motion by Chair Grijalva, seconded by Supervisor Scott, approved 4-0,
Supervisor Bronson absent.**

BOARD, COMMISSION AND/OR COMMITTEE

1.

Flood Control District Advisory Committee

Ratification of City of Tucson appointment: John Van Winkle, P.E., to fill a vacancy created by Mark T. Murphy, R.G., Ph.D. No term expiration.
(Jurisdictional recommendation)

This item was approved on the Consent Calendar.

SPECIAL EVENT LIQUOR LICENSE/TEMPORARY EXTENSION OF PREMISES/ PATIO PERMIT/WINE FAIR/WINE FESTIVAL/Joint PREMISES PERMIT APPROVED PURSUANT TO RESOLUTION NO. 2019-68

2.

Special Event

- John Walter Kenning, Jr., Santa Catalina Catholic Church, 14380 N. Oracle Road, Tucson, March 18, 2023.
- Robin McArdle, Sculpture Tucson Org, Brandi Fenton Park, 3420 E. River Road, Tucson, March 17, 2023.
- Rev Francisco R. Maldonado, Our Lady of the Valley Parish, Our Lady of the Valley Holy Family Center Hall, 505 N. La Canada Drive, Green Valley, May 5 and October 20, 2023.

This item was approved on the Consent Calendar.

3.

Temporary Extension

- 015100022368, Craig Stephen Ivanyi, Arizona-Sonora Desert Museum, 2021 N. Kinney Road, Tucson, March 18, 2023.
- 015100022421, Craig Stephen Ivanyi, Arizona-Sonora Desert Museum, 2021 N. Kinney Road, Tucson, May 13, 2023.

This item was approved on the Consent Calendar.

TREASURER

4.

Certificate of Removal and Abatement - Certificate of Clearance

Staff requests approval of the Certificates of Removal and Abatement/Certificates of Clearance in the amount of \$1,979.94.

This item was approved on the Consent Calendar.

5. Request to Waive Interest

Pursuant to A.R.S. §42-18053, staff requests approval of the Submission of Request to Waive Interest Due to Mortgage Satisfaction in the amount of \$866.95.

This item was approved on the Consent Calendar.

6. Duplicate Warrants - For Ratification

Davis Joyce W. & Joseph G. \$50.89, Day Yacht USA, INC. \$624.65, Bloom Dale \$1,274.97

This item was approved on the Consent Calendar.

RATIFY AND/OR APPROVE

7. Minutes: January 24, 2023

This item was approved on the Consent Calendar.